



08/05/04

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/811,121	03/26/2004	Kevin D. Burrow	7432-0054

CONFIRMATION NO. 9223

E. Victor Indiano
Suite 850
One North Pennsylvania Street
Indianapolis, IN 46204

FORMALITIES LETTER



OC000000012908955

Date Mailed: 06/09/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/06/2004 MAHMEI 00000099 10811121

FILED UNDER 37 CFR 1.53(b)

01 FC:2051

65.00 OP

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 1,5,9,30,31.
 - The drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper, which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e)). See Figure(s) 1,6-8,16.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

- \$65 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

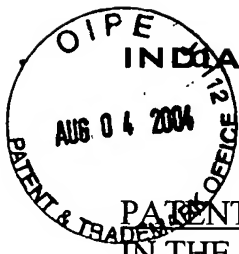
*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



INDIANO VAUGHAN ROBERTS & FILOMENA, LLP.

ONE N. PENNSYLVANIA ST #850
INDIANAPOLIS, INDIANA 46204
(317) 822-0033
FAX (317) 822-0033
E-MAIL VIC@IPLAWINDIANA.COM

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: 7432-0054

Applicants: Burrow et al.

Invention: AN ADJUSTABLE LENGTH
BREATHING CIRCUIT

Application No.: 10/811,121

Filed: 26 March 2004

Examiner: Unknown

Art Unit: 3743

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Commissioner for Patents
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Alexandria, VA 22313-1450

Certificate of Express Mailing Under 1.10

I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service as "Express Mail, Post Office to Addressee" by the certificate Number set forth below, in an envelope addressed to: Box Fee Amendment, Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 on the date set forth below.

Date: 4 August 2004

Signature: *Marianne E. Morris*

Exp. Cert. No. EV462286454US

Deposit Account:

The Commissioner is hereby authorized to deduct any defect or deficiency in fee, or credit any overpayment to:
Deposit Account No. 50-1590

Customer Number:
000031425

RESPONSE TO NOTICE TO FILE MISSING PARTS

Dear Sir:

In response to the notice to file missing parts of 09 June 2004, the Applicants hereby submit the following.

1. Eleven Sheets of Drawings in Formal Form;
2. A Declaration signed by all of the inventors;
3. A Preliminary Amendment to the specification;
4. A copy of the Notice to File Missing Parts; and

5. A check in the amount of \$65.00 as the appropriate fee.

With the filing of these materials, the applicant believes that all for the conditions required for the application have been met, and that the application is in condition for consideration and allowance by the Office.

The Applicant respectfully requests the Examiner to examine and allow all of the claims of the instant application.

If necessary, Applicant requests that this Response be considered a request for an extension of time for a time appropriate for the response to be timely filed. Applicant requests that any required fees needed beyond those submitted with this Response be charged to the account of **E. Victor Indiano, Deposit Account Number 50-1590.**

Respectfully submitted,



E. Victor Indiano

Reg. No. 30,143

Customer Number: 000031425

Indianapolis, Indiana
(317) 822-0033 Voice
(317) 822-0055 Fax
E-mail Vic@IPLawIndiana.com

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